

Application No.: 10/058,664

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Docket No.: 245402004300

REMARKS

Claims 1-11 were pending in the present application. By virtue of this response, claims 1, 7 and 10 have been amended. Accordingly, claims 1-11 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

Claims 1-11 stand examined and are rejected on various grounds. These objections and rejections are addressed in the appropriate sections below. In view of the preceding amendments and the remarks made herein, the present application is believed to be in condition for allowance.

Claims 1, 2 and 5-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 10-256650 to Kenji. Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious over Kenji in combination with US 2002/003818 to Katayama et al. Applicant respectfully submits that, as amended, the claims are patentably distinct over the disclosures of Kenji and Katayama, whether taken alone or in combination.

As amended, independent claims 1 and 7 have been amended such that the resin member is a one-piece resin member, molded integrally with an island member. In particular, the resin member is not divided into subsections. As a result, the relative positional relationship between the metal island member and the plurality of leads is fixed.

The Kenji semiconductor laser unit, on the other hand, includes two resin mold members 11 and 12. See Paragraph 0010. The two resin mold members 11 and 12 are molded in advance. See Paragraph 0011. The main part of the semiconductor laser unit is assembled by placing the two resin mold members 11 and 12 to sandwich the metal island 1 from the front and the rear, to which a coupling plane 14 is coupled. See Paragraph 0013.

By contrast, for example, the one-piece resin member may be molded by directly pouring resin into a cavity where a metal island and a plurality of leads are arranged, which differs from Kenji's disclosure of a plurality of resin members being molded in advance with an island

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member. As a result, molding of the resin member and positioning the metal island member with respect to the plurality of leads are concurrently accomplished.

It can thus be seen that the feature of the "one-piece resin member molded integrally with said island member and said lead so as to fix a relative position between said island member and all said plurality of leads" is absent from the Kenji disclosure. Further, nothing in the Kenji disclosure (or, for that matter, the Katayama disclosure) suggests a modification to yield this feature.

As a result, Applicants respectfully submit that the grounds for rejection under 35 USC § 102(b) and 35 U.S.C. § 103 have clearly been overcome and request that the rejection be withdrawn.

Each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

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CONCLUSION

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 245402004300. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By 

Alan S. Hodes

Registration No.: 38,185

MORRISON & FOERSTER LLP

755 Page Mill Road

Palo Alto, California 94304

(650) 813-5622

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